

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**


<p>Evelyn German Roman Medina,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">-v-</p> <p>John and Vito's Italian Deli Inc.,</p> <p style="text-align: center;">Defendant.</p>	<p><b>Civil Action #: 23-CV-05077 (PMH)(JCM)</b></p> <p><b>DEFAULT JUDGMENT AND ORDER</b></p>
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This matter having been commenced by Plaintiff against defendant John and Vito's Italian Deli Inc., on June 15, 2023 (ECF No. 1), the Court finds as follows:

1. The summons and complaint were duly served on defendant John and Vito's Italian Deli Inc. ("Defendant") through the New York Secretary of State on June 20, 2023 and proof of service was filed on June 20, 2023. (See ECF No. 6)
2. Defendant was required to answer or otherwise move by July 11, 2023.
3. To date Defendant, has not served or filed an answer to the complaint or filed a notice of appearance in this case.
4. On November 4, 2023 Plaintiff filed a Request to the Clerk of the Court for a Certificate of Default against Defendant. (ECF No. 8-11).
5. The Clerk of this Court acknowledged and entered Defendant's default on November 6, 2023. (ECF No. 12).

**THEREFORE**, it is ORDERED, ADJUDGED, and DECREED that judgment is hereby entered against Defendant in the total amount of \$24,222, which is comprised of: (i) \$1,872 in unpaid overtime wages; (ii) \$1,872 in liquidated damages; (iii) \$10,000 in penalties for wage notice and wage statement violations; (iv) \$10,000 in attorneys' fees; and (v) \$478 in costs.

Dated: February 8, 2024  
White Plains, NY

  
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Hon. Philip M. Halpern,  
United States District Judge